



NUTRI.025NP

PATENT

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant : Juturu et al. )  
)  
App. No. : 10/509,487 )  
)  
Filed : September 27, 2004 )  
)  
For : CHROMIUM COMPOSITIONS AND )  
METHODS FOR USING THE SAME )  
FOR INHIBITING DRUG-INDUCED )  
INSULIN RESISTANCE )  
)  
Examiner : Unassigned )  
)

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**ESTABLISHMENT OF RIGHT OF ASSIGNEE TO TAKE ACTION**  
**AND**  
**REVOCATION AND POWER OF ATTORNEY**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

The undersigned is empowered to act on behalf of the assignee below (the "Assignee"). A true copy of the original Assignment of the above-captioned application from the inventor(s) to the Assignee is attached hereto. This Assignment represents the entire chain of title of this invention from the Inventor(s) to the Assignee.

I declare that all statements made herein are true, and that all statements made upon information and belief are believed to be true, and further, that these statements were made with the knowledge that willful, false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. § 1001, and that willful, false statements may jeopardize the validity of the application, or any patent issuing thereon.

The undersigned hereby revokes any previous powers of attorney in the subject application, and hereby appoints the registrants of Knobbe, Martens, Olson & Bear, LLP, 2040 Main Street, Fourteenth Floor, Irvine, California 92614, Telephone (949) 760-0404, Customer

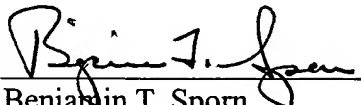
App. No. : 10/509,487  
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No. 20,995, as its attorneys with full power of substitution and revocation to prosecute this application and to transact all business in the U.S. Patent and Trademark Office connected herewith. This appointment is to be to the exclusion of the inventor(s) and his attorney(s) in accordance with the provisions of 37 C.F.R. § 3.71.

Please use **Customer No. 20,995** for all communications.

NUTRITION 21, INC.

Dated: February 2, 2005

By:   
Benjamin T. Sporn

Title: ~~Senior~~ Vice President, General Counsel  
and Secretary

Address: 4 Manhattanville Road, Suite 202  
Purchase, NY 10577

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**COPY**

**PATENT**

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**- DO NOT RECORD -**

**ASSIGNMENT**

WHEREAS, We, Vijaya Juturu, a citizen of India, residing at 200 Becon Hill Drive, Apt. 3J, Bldg. 3, Dobbs Ferry, NY 10522, James R. Komorowski, a United States citizen, residing at 83 Bunker Hill Drive, Trumbell, CT 06611, and Gail Montgomery, a United States citizen, residing at 94 Seminary Road, Bedford, NY 10506, have invented certain new and useful improvements in a CHROMIUM COMPOSITIONS AND METHODS FOR USING THE SAME FOR INHIBITING DRUG-INDUCED INSULIN RESISTANCE for which we have filed an application for Letters Patent in the United States, Application No. 10/509,487, filed on September 27, 2004;

AND WHEREAS, Nutrition 21, Inc. (hereinafter "ASSIGNEE"), a New York Corporation, with its principal place of business at 4 Manhattanville road, Suite 202, Purchase, New York 10577, desires to acquire the entire right, title, and interest in and to the said improvements and the said Application:

NOW, THEREFORE, in consideration of the sum of One Dollar (\$1.00) to me in hand paid, and other good and valuable consideration, the receipt of which is hereby acknowledged, we, the said inventors, do hereby acknowledge that we have sold, assigned, transferred and set over, and by these presents do hereby sell, assign, transfer and set over, unto the said ASSIGNEE, its successors, legal representatives and assigns, the entire right, title, and interest throughout the world in, to and under the said improvements, and the said application and all provisional applications relating thereto, and all divisions, renewals and continuations thereof, and all Letters Patent of the United States which may be granted thereon and all reissues and extensions thereof, and all rights of priority under International Conventions and applications for Letters Patent which may hereafter be filed for said improvements in any country or countries foreign to the United States, and all Letters Patent which may be granted for said improvements in any country or countries foreign to the United States and all extensions, renewals and reissues thereof; and we hereby authorize and request the Commissioner of Patents of the United States, and any Official of any country or countries foreign to the United States, whose duty it is to issue patents on applications as aforesaid, to issue all Letters Patent for said improvements to the said ASSIGNEE, its successors, legal representatives and assigns, in accordance with the terms of this instrument.

AND WE DO HEREBY sell, assign, transfer, and convey to ASSIGNEE, his successors, legal representatives, and assigns all claims for damages and all remedies arising out of any violation of the rights assigned hereby that may have accrued prior to the date of assignment to ASSIGNEE, or may accrue hereafter, including, but not limited to, the right to sue for, collect, and retain damages for past infringements of the said Letters Patent before or after issuance.

AND WE HEREBY covenant and agree that we will communicate to the said ASSIGNEE, its successors, legal representatives and assigns, any facts known to us respecting said improvements, and testify in any legal proceeding, sign all lawful papers, execute all divisional, continuing and reissue applications, make all rightful oaths and generally do everything possible to aid the said ASSIGNEE, its successors, legal representatives and assigns, to obtain and enforce proper patent protection for said improvements in all countries.

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IN TESTIMONY WHEREOF, I hereunto set my hand and seal this 25 day of JANUARY, 2005

Vijaya Juturu  
Vijaya Juturu

STATE OF

COUNTY OF

ss.

On 25, JAN. 2005, before me, ROSALEE J. GOLCZEWSKI, personally appeared Vijaya Juturu personally known to me (or proved to me on the basis of satisfactory evidence) to be the person whose name is subscribed to the within instrument, and acknowledged to me that she executed the same in her authorized capacity, and that by her signature on the instrument the person, or the entity upon behalf of which the person acted, executed the instrument.

WITNESS my hand and official seal.

[SEAL]

Rosalee J. Golczewski  
Notary Signature

ROSALEE J. GOLCZEWSKI  
Notary Public, State of New York  
Reg. #: 01GO6015289  
Qualified in Westchester County  
Commission Expires 10/26/2008

COPY

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**- DO NOT RECORD -**

IN TESTIMONY WHEREOF, I hereunto set my hand and seal this 26<sup>th</sup> day of January, 2005.

James R. Komorowski  
James R. Komorowski

STATE OF

COUNTY OF

SS.

On 26<sup>th</sup> of January 2005 before me, Rosalee J. Golczewski, personally appeared James R. Komorowski personally known to me (or proved to me on the basis of satisfactory evidence) to be the person whose name is subscribed to the within instrument, and acknowledged to me that he executed the same in his authorized capacity, and that by his signature on the instrument the person, or the entity upon behalf of which the person acted, executed the instrument.

WITNESS my hand and official seal.

[SEAL]

Rosalee J. Golczewski  
Notary Signature

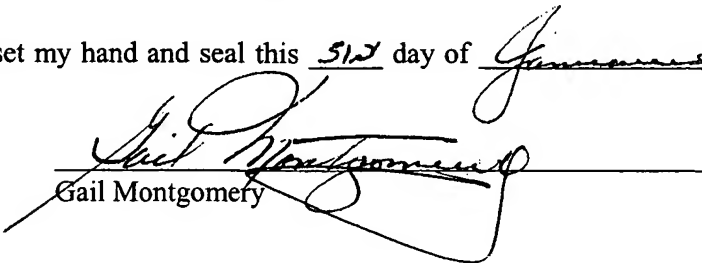
ROSALEE J. GOLCZEWSKI  
Notary Public, State of New York  
Reg. #: 01GO6015289  
Qualified in Westchester County  
Commission Expires 10/26/2008

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IN TESTIMONY WHEREOF, I hereunto set my hand and seal this 512 day of January,  
2005.

  
Gail Montgomery

STATE OF

COUNTY OF

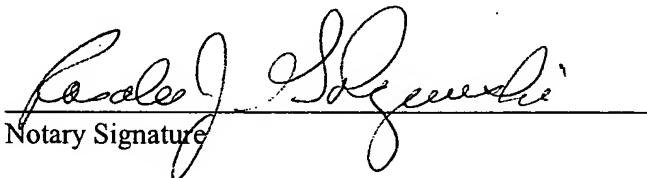
ss.

On JANUARY 31, 2005, before me, ROSALEE J. GOLCZEWSKI, personally appeared Gail Montgomery personally known to me (or proved to me on the basis of satisfactory evidence) to be the person whose name is subscribed to the within instrument, and acknowledged to me that she executed the same in her authorized capacity, and that by her signature on the instrument the person, or the entity upon behalf of which the person acted, executed the instrument.

WITNESS my hand and official seal.

[SEAL]

**ROSALEE J. GOLCZEWSKI**  
Notary Public, State of New York  
Reg. #: 01GO6015289  
Qualified in Westchester County  
Commission Expires 10/26/2008

  
Notary Signature